

INITIAL SCREENING OF INCOMING PAPERS CHECKLIST

Reviewer: K. Chase

Date: 1-31-03

APPLICATION NO. 10/009004

1. PETITION TYPE CODE

☐ R137(a) Petition-----501
☐ R137(a) Petition-----509
 (Issue Fee/Dwgs)
☐ R137(b) Petition-----502
☐ R137(b) Petition-----510
 (Issue Fee/Dwgs)
☐ R137(f) Petition-----536
☐ R182 Petition-----519
☐ R183 Petition-----503
☐ R378(b) Petition-----532
☐ R378(c) Petition-----533
☐ R377 Petition-----521
☐ R3.81(b) Petition-----523
☐ R181 Petition-----515
☐ R181 Petition-----504

PETITION TYPE CODE

☐ R28c Peition-----309
☐ R47 Petition-----313
☐ R53(e) Petition-----408
☐ R53 (R62 filing date)-----410
☐ R10 Petition-----411
☐ Lost Application-----412
☐ R78(a)(3) Petition-----535
☐ R78(a)(6) Petition-----535
☐ R55(c) Petition-----535
☐ R314 Petition-----508
☐ R55(a) Petition-----507
☐ Pet. W/D Abn-----525
☐ R705(b) PTA-Bef iss-----550
☐ R705(d) PTA-Aft iss-----551
☐ R705(c)PTA-SpiteDueCare-552
☐ Other

2. LIST PAPERS FILED WITH PETITIONS

<input type="checkbox"/> PreAmdt/Amdt	<input type="checkbox"/> CPA	<input type="checkbox"/> Associate POA
<input type="checkbox"/> Filing Fees	<input type="checkbox"/> RCE	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Reply/Arguments	<input type="checkbox"/> IDS	<input type="checkbox"/> Change of Address
<input type="checkbox"/> Election	<input type="checkbox"/> 129(a) Submsn	<input type="checkbox"/> Revocation/Poa
<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Priority Documents
<input type="checkbox"/> Brief (3)	<input type="checkbox"/> Drawings	<input type="checkbox"/> Oath/Decl. & POA
<input type="checkbox"/> Reply Brief	<input type="checkbox"/> Rule 312 Amdt	<input type="checkbox"/> Rescind Non-Pub Req.
<input type="checkbox"/> Declaration R132	<input type="checkbox"/> Ext Time ()	<input type="checkbox"/> Statement 3.73(b)

Other Papers _____

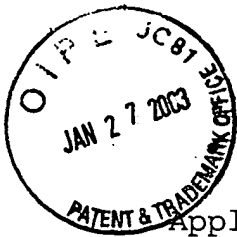
3. Is paper a petition to withdraw holding of abandonment: yes no
 If so, send paper and/or file to appropriate location (**Note: remove any flag set first**):

- Nonreceipt of action from TC or assertion that reply was timely filed:
 Send paper to TC _____
- Nonreceipt of Missing Parts Notice or assertion that reply was timely filed:
 Send paper to DIRECTOR -OIPE - -CP2-7D25 (PH: 308-0910)
- Assertion of timely payment of issue fee and/or submission of drawings:
 Send petition to Office of Publications: ATTN: Tom Hawkins
- Other _____

4. Other: DET legal

If not handled in Office of Petitions, send paper to appropriate location.

5. Is petition accompanied by assignment papers, fee address, or other paper which needs to be sent to another location? yes no If so, make copy of assignment papers, fee address, or other paper; mail original to proper location and place copy in file with an indication that the original paper(s) has been forwarded to the appropriate location (Assignment Branch; Maintenance Fee Division, etc.)



01-29-05.

DAE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Slaga, et al

§

Serial No.: 10/⁰⁶⁹~~609~~,604
(PCT/US01/08718)

§

Group No.:

§

Filed: 02/26/02

§

Examiner:

§

For: AGENTS AND METHODS...

§

§

COMMISSIONER OF PATENTS
AND TRADEMARKS
WASHINGTON, D.C. 20231

RECEIVED

JAN 30 2003

OFFICE OF PETITIONS

Petition to Revive Abandoned Application
(OFFICE MISTAKE)

Dear Sir:

Applicant respectfully petitions the Commissioner of Patents and Trademarks to revive the above-identified application for reasons provided hereafter.

On January 27, 2003, the undersigned received a Notice of Abandonment indicating that the subject case was abandoned for failure to pay the U.S. National Fee by the 20th Month after the Priority Date of the subject application.

Attached hereto are photocopies of the DEMAND, the postcard acknowledging receipt of the DEMAND, the Express Mail receipt related to the transmission of the DEMAND, and a U.S.P.T.O. Deposit Account Printout showing charges made in connection with the filing of such DEMAND.

In view of the above, it is respectfully submitted that an abandonment for failure to pay the U.S. National Fee by the 20th month represents an Office error, and should be withdrawn.

Please also note that the U.S. National Stage filing was made on February 26, 2002. On September 16, 2002, Patti Moore, assistant to the undersigned, called the U.S.P.T.O. to inquire of the status of the subject application. A Mr. Brian Tung informed Ms. Moore (as overheard by the undersigned) that all 371 requirements had been met and all fees had been paid.

In view of the foregoing, Applicant respectfully petitions that the subject application be determined to be a 30 month case and that the same be revived for normal processing as a U.S. National Stage Application.

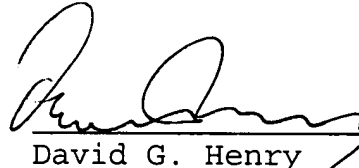
In the alternative, Applicant respectfully petitions that the subject application be revived with the entirety of any delay in responding to any requirement pertaining to this application having been wholly unintentional, which averment is hereby made.

This petition is supported by the declaration of the Attorney incorporated herein.

Any petition fee associated with this Petition may be charged to the deposit account of the undersigned, Account No. 50-0894, although none is believed to be required in view of the apparent Office Error in this case.

DECLARATION

My name is David G. Henry, Reg. No. 32,735. I am the Attorney for U.S. Patent Application No. 10/069,604. I declare that I have read the statements made in this Petition to Revive and the same are, to my personal knowledge, true and correct, or if made on information and belief, are believed true and correct, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

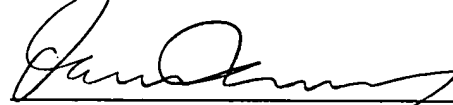


David G. Henry

1/27/03

Date

Respectfully submitted,



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